

## **Written Testimony on SB 1019**

**David LaGrand, State Representative, Michigan**

Committee Members,

Thank you for taking this testimony, and for taking up SB 1019.

My name is David LaGrand, I was the lead sponsor on a 7-bill package on expungement that passed our House and Senate and was signed into law by Governor Whitmer in October 2020.

I want to briefly summarize our experience with clean slate legislation in Michigan, highlight the potential economic impact of this bill, and urge you to implement automatic provisions for expungement.

Our expungement expansion legislation passed in Michigan in our last session with overwhelming bipartisan support. The sponsors of the package included four Democrats and three Republicans and the bills generally passed with large bipartisan majorities – 97-11 in the House and 30-7 in the Senate.

In Michigan, clean slate legislation was welcomed and supported by the business community, in recognition of the potential for increased employment and for broadening the employee talent pool. Official support came from the Michigan Chamber of Commerce, Michigan Realtors, Michigan Manufacturer Association, Michigan Bankers Association, Michigan Credit Union League, Michigan Restaurant and Lodging Association, the Chambers of Commerce of our two largest cities – Detroit and Grand Rapids – and others.

We all know that people with public criminal records face major barriers to employment, housing, and education. Data from a comprehensive, empirical study of a large data-set in Michigan by professors Sonja Starr and J.J. Prescott, demonstrate that on average, an individual who has his or her record cleared experiences a rapid increase in earnings, on average 23%, and this increase is sustained for years. This gain is mostly driven by unemployed people finding work and minimally employed people finding steadier positions. Expungement expansion can be one of the best anti-poverty programs available, and it costs government next to nothing.

Of course, improvements in the economic status of individuals receiving expungement has a significant benefit to their families and communities. It hurts communities if their citizens have serious difficulties being productively employed and aren't part of the tax base. It's in everyone's interest to have people move beyond their criminal record and return from the margins of society.

An automatic mechanism for clearing citizen's records is critical, as the vast majority of eligible citizens do not take active steps to clear their records, probably for reasons stemming from combinations of shame over the past crimes, lack of information about the process of pursuing erasure, and the inability to find the funds to hire legal help to navigate the administrative complexity of petitioning for the erasure of criminal records. In Michigan, we found that only 7% of those eligible under the old law ever sought to have their records expunged. That means that well over 90% of people never took advantage of their right to apply for expungement.

I am proud to have led the effort to pass Michigan's clean slate legislation, and proud that Michigan became the first state to allow for automatic expungement of some non-violent felonies. We are part of a national trend toward expungement reform. Over 20 states have expanded expungement eligibility, shortened wait-times, and eased access to expungement in the past few years. Michigan has been joined by Pennsylvania, New Jersey, California, and Utah in passing automatic clean slate legislation. We all believe that expungement is a powerful tool for improving the lives of people with records, without an increased risk to public safety. I hope Connecticut will join us as a leader in the national movement for expungement in particular and for criminal justice reform in general.